

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:09-cv-00193-RJC**

**SYLVIA JACKSON,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **CAROLYN W. COLVIN, Acting** )  
 **Commissioner of Social Security,** )  
 )  
 **Defendant.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** comes before the Court on Defendant’s Consent Motion for Remand under sentence four of 42 U.S.C. § 405(g). (Doc. No. 48). Under sentence four of 42 U.S.C. § 405(g), “[t]he court shall have the power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” See also Shalala v. Schaefer, 509 U.S. 292, 296–97 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991).


Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner’s decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Defendant’s request to remand this action for further administrative proceedings, the Court hereby reverses the Commissioner’s decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings and development, including a supplemental hearing if necessary.

Because this matter is hereby remanded to the Commissioner, Plaintiff’s Motion for Summary Judgment, (Doc. No. 46), is moot and shall be dismissed.

**IT IS, THEREFORE, ORDERED** that, for good cause shown:

1. Defendant's Consent Motion for Remand, (Doc. No. 48), is **GRANTED**. The Court hereby **REVERSES** the decision of the Commissioner and **REMANDS** this case for further administrative proceedings and development.
2. Plaintiff's Motion for Summary Judgment, (Doc. No. 46), is **DISMISSED as moot**.
3. The Clerk of Court is respectfully directed to enter a separate judgment pursuant to Federal Rule of Civil Procedure 58 and to close this case.

Signed: August 18, 2016

  
Robert J. Conrad, Jr.  
United States District Judge

